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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/086,099

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Matthew Barrow

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EXAMINER

SALL, EL HADJI MALICK

ART UNIT

PAPER NUMBER

2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/086,099

Applicant(s)

BARROW ET AL.

Examiner

El Hadji M. Sall

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the correspondence filed on June 12, 2006.

Claims 1-12 are pending. Claims 1-12 represent Dynamically updateable parameters in integrated services hub.

2. ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 1 and 2, lines 9 and 2, respectively, the limitation "if all/any of the parameters which are different can be dynamically changed, updating all parameters/rebooting the system" is unclear. For purpose of prior art rejection, Examiner is interpreting it as "updating of any information" to the client (i.e. "communication hub").

3. *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 4, 6, 7, 9, 10 and 12 are rejected under 35 U.S.C. 102(b) as being anticipated Lenz U.S. 6,029,196.

Lenz teaches the invention as claimed including automatic client configuration system (abstract).

As to claim 1, Lenz teaches a method for updating configuration parameters in customer premises telecommunications hub comprising:

Receiving in a customer premises telecommunications hub a new configuration file sent from a remote location (column 5, lines 34-36);

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Identifying parameters in the new configuration file which are different than existing parameters stored in said customer premises telecommunications hub (column 6, lines 28-29);

Checking the parameters which are different to determine whether they can be changed dynamically (column 5, lines 38-41; column 3, lines 45-47); and

If all parameters, which are different, can be dynamically changed, updating all parameters to those contained in the new configuration file (column 5, lines 41-44).

As to claim 4, Lenz teaches a method according to claim 3, wherein:

If the parameters, which are different, can be changed dynamically, said update module issues an update function call to each of the other functional modules (figure 11).

As to claim 6, Lenz teaches a method according to claim 1, wherein:

Said step of updating parameters is performed when said customer premises telecommunications hub is in an idle state (column 4, lines 40-42).

As to claim 7, Lenz teaches a method according to claim 1, wherein:

Said new configuration file is received over a wide area network connection in an Internet protocol (figure 4).

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As to claim 9, Lenz teaches a customer premises telecommunications hub, comprising:

A wide area network connection for receiving Internet protocol messages (figure 4),

A memory storing a configuration file (figure 11, item 1102),

A microprocessor having a plurality of functional program modules operating with parameters contained in the configuration file, each function module storing configuration file parameters which affect its operations and having a check function and an update function (figure 4), and

A configuration update module adapted to receive a new configuration file over the wide area network connection while the microprocessor is in a running state, to store the new configuration file in memory, and to call the check function and the update function in each functional module (figure 12).

As to claim 10, Lenz teaches a system for dynamically updating configuration file parameters in a customer premises telecommunications hub comprising:

A remotely located configuration server accessible over a wide area network connection (figure 1, item 103),

Means for receiving a new configuration file from said configuration file server over a wide area network connection while the customer premises telecommunications hub is in running state (column 5, lines 34-36),

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Means for comparing parameters controlling operation of the customer premises telecommunications hub to parameters contained in the new configuration file and identifying parameters which are different (column 5, lines 38-41; column3, lines 45-47),

Means for identifying parameters which can be changed dynamically (column 6, lines 28-29),

Means for, if all parameters, which are different, can be changed dynamically, dynamically updating parameters to those contained in the new configuration file (column 5, lines 41-44).

As to claim 12, Lenz teaches the system of claim 10 further comprising:

Means for dynamically updating parameters to those contained in the new configuration file only when the customer premises telecommunications hub is in idle state (column 4, lines 40-42).

5.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been

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obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2, 3, 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz U.S. 6,029,196 in view of Sandahl et al. U.S. 6,098,098.

Lenz teaches the invention substantially as claimed including automatic client configuration system (abstract).

As to claim 2, Lenz teaches a method according to claim 1.

Lenz fails to teach explicitly rebooting the system.

However, Sandahl teaches system for managing the configuration of multiple computer devices. Sandahl teaches rebooting the system (column 7, lines 55-61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lenz in view of Sandahl to provide if any of the parameters which are different cannot be dynamically changed, rebooting the system. One would be motivated to do so to allow saving new updates.

As to claim 3, Lenz teaches a method according to claim 1, wherein:

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Said hub comprises a configuration update module and plurality of other functional modules, which use parameters contained in the configuration file (figure 11),

Said other functional modules register check and update function calls with said update module (column 2, lines 12-16),

Each functional module compares configuration file parameters in the new configuration file to its existing parameters (column 5, lines 38-41; column 3, lines 45-47),

Lenz fails to teach explicitly said update module writes the new configuration file into flash memory and issues a check function call to each of the other functional modules, and notifies the update module whether the parameters which are different can be changed dynamically.

However, Sandahl teaches said update module writes the new configuration file into flash memory and issues a check function call to each of the other functional modules (column 6, lines 24-29), and notifies the update module whether the parameters which are different can be changed (column 7, lines 62-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lenz in view of Sandahl to provide said update module writes the new configuration file into flash memory and issues a check function call to each of the other functional modules, and notifies the update module whether the parameters which are different can be changed dynamically. One would be motivated to do so to allow periodic and proper updates.

As to claim 5, Lenz teaches a method according to claim 3.

Lenz fails to teach explicitly rebooting the system.

However, Sandahl teaches rebooting the system (column 7, lines 55-61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lenz in view of Sandahl to provide if the parameters which are different cannot all be changed dynamically, said update module reboots the system. One would be motivated to do so to allow saving new updates.

As to claim 11, Lenz teaches the system of claim 10.

Lenz fails to teach explicitly rebooting the system.

However, Sandahl teaches rebooting the system (column 7, lines 55-61).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lenz in view of Sandahl to provide means for, if any parameter which is different cannot be changed dynamically, Causing the customer premises telecommunications hub to reboot. One would be motivated to do so to allow saving new updates.

3. Claim 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lenz U.S. 6,029,196 in view of Kaplan et al. U.S. 6,141,339.

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Lenz teaches the invention substantially as claimed including automatic client configuration system (abstract).

As to claim 8, Lenz teaches a method according to claim 1, wherein:

Said new configuration file is received over an ISDN connection to a server in a central office (column 17, lines 25-31, Bhatia discloses Call control section 460 interacts with a local ISDN switch at a telephone central office to establish and terminate ISDN calls in order to appropriately route traffic between the LAN, via the switch and PSTN, and a remote network).

Lenz fails to teach explicitly Said new configuration file is received over a DSL connection to a server in a central office.

However, Kaplan teaches a DSL connection (column 2, lines 7-9).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Lenz in view of Kaplan to provide Said new configuration file is received over a DSL connection to a server in a central office. One would be motivated to do so to allow faster service and "always on".


7. Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji M Sall whose telephone number is 571-272-4010. The examiner can normally be reached on 8:00-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4010. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
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SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100